

REMARKS

Claims 1-40 are pending in the instant application. In a previously filed amendment accompanied by a Request for Continued Examination (RCE) in the application, Applicant amended claims 1, 7, 19, 24, 29 and 33.

In this Non-Final Office Action, the Examiner has rejected claims 1-40 on new grounds as further described below.

Claim Rejections Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 1-2, 4, 7-8, 11, 13, 15, 19-26, 28-35 and 37-40 under 35 U.S.C. § 103(a) as being unpatentable over Wagner, United States Patent Publication 20030233296, in view of Fortner et al., United States Patent No. 6,529,898. Applicant respectfully traverses.

One aspect of the present invention as described in, for example, claims 1, 7, 19, 24, 29 and 33 relates to a step of defining, in response to user input, particular information or parameters. For example, claim 1 recites defining, in response to user input specifying a structure of a report file, a first report group comprised of one or more page definitions, with the first report group being of a first group type selected from among a plurality of predefined group types.

With respect to claim 1, the Examiner asserts that Wagner describes such a step, stating that Wagner describes "specifying a structure of the report file by defining a first report group comprised of one or more page definitions, the first report group being of a first group type selected from among a plurality of predefined group types," and citing Wagner Paragraphs 43, 45, 46, 72 and 73. The Examiner then states that this teaches "configuring the report in a specific format determined by the group and the page definitions with the group being a type of tax return and the definitions being the information to include."

Applicant respectfully submits that the Examiner misconstrues Wagner in view of the specifically claimed step and associated elements. Specifically, Applicant notes that claim 1 was amended in the previous response; however, it appears that the Examiner is attempting to base the rejection of claim 1 on the previous version of the claim as presented before the most recent amendment. In particular, claim 1 as amended does not describe specifying a structure of the report file as stated by the Examiner – it was previously amended to explicitly describe a step of “defining, in response to user input specifying a structure of the report file, a first report group.”

This claimed step is neither described or suggested by the cited sections of Wagner, nor can Applicant identify such a step elsewhere in Wagner. Specifically, the cited paragraphs of Wagner (43, 45, 46, 72 and 73) purportedly describe, at most, automated generation of forms (see, e.g., Wagner, Para. 0045, which describes generation of a form by retrieval of form information from a “form repository” to generate an “appropriate form”). Although Para. 0045 describes “user data,” it is described merely in the context of filling in information required by the particular form to complete the form, not in defining the structure of the form. Likewise, Wagner Para. 0046 describes automated form generation based on a predefined “set of instructions” that configure the relevant data into “a prescribed format,” which is likewise distinguished from the claimed defining, in response to user input specifying a structure of the report file.

Moreover, Wagner, in another section cited by the Examiner (Wagner, Para. 0072) teaches away from the presently claimed invention, stating that “. . . the user does not need to identify the particular information needed [for the form], but must merely identify the form to be generated.” Put another way, Wagner is stating that the user does not provide input to define the structure of the form, but rather identifies the form itself, which presumes that the form is pre-defined. In addition, Para. 0073 suggests that the form structure is defined by a third party, not the user, stating that, in the example of a tax form, the “report would be based upon a form as prescribed by [a third party, e.g., the IRS] (emphasis added).”

Consequently, Wagner fails to describe the specifically claimed elements as previously amended, and, in effect, teaches away from the specifically claimed elements as amended. In

addition, the Examiner has not suggested that such a description is found in the other cited reference, Fortner, and Applicant is also unable to identify such a description in Fortner.

Accordingly, for at least this reason, Wagner and Fortner, taken either alone or in combination, fail to describe all of the elements of claim 1 as previously amended, including, at a minimum, a step of defining, in response to user input specifying a structure of a report file, a first report group comprised of one or more page definitions. Therefore, the rejection of claim 1 under 35 U.S.C. § 103(a) is improper, and Applicant respectfully requests that it be withdrawn and claim 1, as well as dependent claims 2-6, be allowed.

Further with respect to claim 1, the Examiner asserts that Wagner describes "identifying one or more fields for inclusion within each of the one or more page definitions," citing Paragraphs 0043, 0046, 0071 and 0072. However, this is not what is claimed (based on the previous amendments), and Applicant believes that the Examiner is further inadvertently responding to claim 1 as previously presented. Specifically, claim 1 was previously amended to describe a step of "including one or more fields," with the one or more fields selected from among a plurality of fields within each of the one or more page definitions. The Examiner has not, however, addressed this amended claim element. In view of the amendment of claim 1, Applicant fails to see how the cited sections of Wagner describes the specifically claimed element, with the Examiner's asserted basis of rejection appearing to be directed at the previously claim 1, not claim 1 as amended.

Applicant respectfully notes that similar rejections have been made the Examiner with respect to claims 7, 19, 24, 29 and 33, all of which appear to fail be address the claims as previously amended. For similar reasons, Applicant asserts that these rejections are also improper, and therefore requests that they be withdrawn and the claims be allowed for at least this reason.

Accordingly, Applicant requests that, if the Examiner believes that Wagner describes the specifically claimed elements of claims 1, 7, 19, 24, 29 and 33, as amended, that the Examiner provide a detailed explanation of how Wagner describes the specific claimed elements as they presently stand in a new, non-final Office Action.

The Examiner concedes that Wagner is deficient with respect to “presenting a graphical representation of a plurality of data sources and representations of a plurality of fields; receiving, via a user interface, input for selecting, a first data source for association with the first report group, wherein each of the available data sources comprises a predefined database query.” In order to attempt to cure this deficiency, the Examiner asserts that Fortner discloses these elements, citing merely to Col. 5, lines 13-46.

Fortner describes a very narrow invention related to a method and system for electronically retrieving door hardware data. The cited sections (Col. 5, lines 13-46) describe that a user can select controls associated with various characteristics of door hardware (i.e., “lock data,” “parts data,” “latch data,” “strike features,” “finish features,” “replacement cylinder data” and “time/design features” [Col. 5, lines 16-21]. These features can then be selected by a user to retrieve information regarding specifically available hardware based on a user’s selection of various features and characteristics [Col. 5, lines 22-46]. While Applicant respectfully disagrees with the Examiner’s assertion that this description corresponds with the claimed elements of data sources, association and queries, even if, for purposes of argument, they did correspond in some way, Fortner still fails to fully describe the specifically claimed elements.

In particular, the cited sections say absolutely nothing about performing a database query as is claimed. In addition, the cited sections say nothing about the specifically claimed step of receiving input for selecting from among a plurality of data sources a first data source for association with a first report group (wherein the first report group is comprised of one or more page definitions – Fortner says nothing about page definitions). Furthermore, Fortner describes that a request for particularly available hardware data (which Applicant suspects the Examiner is analogizing to the claimed database query) is based on user entered information for the particular characteristics of interest in the search, such as manufacturer, lock data, parts data, strike

features, finish features, etc. As such, any "database query" made in accordance with the description of Fortner would necessarily be made on the fly by the specific user, not based on a predefined query as is presently claimed (i.e., claim 1 recites that each of the data sources comprises a predefined database query). Accordingly, for at least these reasons, Fortner fails to cure the deficiencies of Wagner with respect to the specifically claimed elements. Therefore, the rejection of claim 1 based on the combination of Wagner and Fortner is improper, and, for at least this reason, Applicant respectfully requests that it be withdrawn and claim 1, as well as its associated dependent claims 2-5, be allowed.

In addition, in seeking to combine Wagner and Fortner as the basis for rejecting independent claims 1, 7, 19, 24, 29 and 33, the Examiner fails to explain why one of skill in the art would combine these very different references, and Applicant respectfully asserts that the combination is improper under 35 U.S.C. § 103. Specifically, the Examiner merely states that "[i]t would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have combined Fortner with Wagner, thereby allowing a user to select parameters for report generation" without providing any further explanation or rationale as to why they should be combined. Applicant notes that Wagner and Fortner are directed to significantly different inventions and provide disclosures that are non-overlapping and sufficiently distinct that they lack basis for combination. For example, while Wagner purportedly relates to automated generation of forms, Fortner describes a very different and narrow invention directed to retrieving only a narrow, specific type of information related to door hardware. Fortner says little to nothing about information retrieval techniques in general. In addition, unlike Wagner or the presently claimed invention, Fortner says absolutely nothing about forms or in particular form generation or automation. Wagner, on the other hand, says little to nothing about retrieval of parts information or database searching or queries, nor does it describe anything about any of the specifically described features of Fortner related to door hardware or door hardware information retrieval. Consequently, because of the drastically different scope of these disclosures and their non-overlapping substance, there would be no motivation for a person having ordinary skill in the art of forms generation to combine the teachings of Fortner with that

of Wagner. Moreover, since the two are directed to drastically different applications (i.e., forms generation versus hardware parts information retrieval) and provide completely different results (i.e., one automates forms generation, the other provides a specific part or parts based on user-specified input), it is unclear as to how such a combination would even be operative, and the Examiner has failed to explain how such a combination would function.

For at least these reasons, Applicant respectfully submits that the combination of Wagner and Fortner is improper under 35 U.S.C. § 103, and therefore Applicant respectfully requests that the rejection of claims 1, 7, 19, 24, 29 and 33 based on this combination be withdrawn and the claims, along with their associated dependent claims, be allowed.

With respect to claim 7, Applicant respectfully notes that this claim was previously amended to describe that the report file contains information identifying one or more data sources associated with the at least one report group and field descriptive information relating to a plurality of fields selected via a user interface for inclusion within the one or more page definitions. In addition, other amendments were made to this claim in Applicant's previous response, including adding the limitation that the retrieving data source information is consistent with an association established in response to field content information received through a user interface, between content from the data source and the plurality of fields.

Applicant respectfully asserts that the Examiner has not, however, addressed this claim as amended – it appears to Applicant that the Examiner has based his rejection on the previous claim 7 rather than the current claim 7. Accordingly, Applicant requests that if the Examiner believes that Wagner (and/or Fortner) describes all of the specifically claimed elements of claim 7, as previously amended, that the Examiner explain in detail, in a new non-final office action, where he believes such support is found.

With respect to claim 24, Applicant notes that this claim was previously amended to describe that the data filter information is defined at least in part by user selection of one or more elements of the filter expression via a user interface. The Examiner appears, however, to be basing the rejection of this claim on claim 24 as previously presented, not as presently amended.

In the Examiner's rejection of claim 24, he merely cites Wagner, Paragraphs 0043, 0046 and 0072 as purportedly teaching "a filter module for filtering retrieved information." Applicant respectfully submits that while Wagner may describe a "filter module 103," the present claim 24 does not merely recite a filter module – as amended, it specifically recites data filter information that "is defined at least in part by user selection of one or more elements of the filter expression via [a] user interface." Wagner says nothing about these specific details, and in particular receiving such information via a user interface, and therefore clearly fails to describe this specifically claimed element. Consequently, for at least this reason, the Examiner's rejection of claim 24 is improper. Accordingly, Applicant requests that, for at least this reason, the rejection be withdrawn and claim 24, as well as dependent claims 25-28 be allowed.

Likewise, with respect to claim 29, Applicant notes that this claim was previously amended to describe that the data filter information includes a filter expression defined at least in part by user selection of one or more elements of the filter expression via a user interface. The Examiner appears, however, to be basing the rejection of this claim on claim 29 as previously presented, not as presently amended. Specifically, the Examiner merely states that the claim is rejected "along the same rationale [as claims 1, 8 and 24]." However, claims 1 and 8 do not describe the element of a filter expression or data filter information (and are therefore not relevant to this specific basis of rejection). Claim 24 does describe data filter information, but in the Examiner's rejection of this claim he merely cites Wagner, Paragraphs 0043, 0046 and 0072 as purportedly teaching "a filter module for filtering retrieved information."

Applicant respectfully submits that while Wagner may describe a "filter module 103," the present claim 29 does not merely recite a filter module as in Wagner – as amended, it specifically recites data filter information that "includes a filter expression defined at least in part by user selection of one or more elements of the filter expression via [a] user interface." Wagner clearly fails to describe such input from a user interface, and in particular the specifically claimed elements, and therefore, for at least this reason, the Examiner's rejection of claim 29 is improper.

Accordingly, Applicant requests that, for at least this reason, the rejection be withdrawn and claim 29, as well as dependent claims 30-32 be allowed.

Concluding Comments

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim except as specifically stated in this paper.

Applicant respectfully requests consideration of the remarks herein prior to further examination of the above-identified application. The undersigned would of course be available to discuss the present application with the Examiner if, in the opinion of the Examiner, such a discussion could lead to resolution of any outstanding issues.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: September 8, 2009

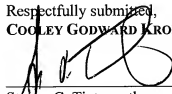
COOLEY GODWARD KRONISH LLP
ATTN: Patent Group
777 6th Street NW, Suite 1100
Washington, DC 20001

Tel: (858) 550-6000
Fax: (202) 842-7899

644100 v1/SD

Respectfully submitted,
COOLEY GODWARD KRONISH LLP

By:


Steven C. Tietsworth
Reg. No. 59,855